

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Trustees of the LOCAL 7 TITLE
INDUSTRY WELFARE FUND, Trustees of
the LOCAL 7 TITLE INDUSTRY
ANNUITY FUND, Trustees of the TILE
LAYERS LOCAL UNION 52 PENSION
FUND, Trustees of the BRICKLAYERS &
TROWEL TRADES INTERNATIONAL
PENSION FUND, and Trustees of the
INTERNATIONAL MASONRY
INSTITUTE,

Plaintiffs,

-against-

ALP STONE, INC.,

Defendant.

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NICHOLAS G. GARAUFIS, United States District Judge.

ORDER

12-CV-5974 (NGG) (RER)

On December 4, 2012, Plaintiffs initiated this action against Defendant, alleging violations of the Employee Retirement Income Security Act and the Labor-Management Relations Act of 1947. (Compl. (Dkt. 1).) On October 6, 2014, Plaintiffs moved for summary judgment. (Mot. for Summ. J. (Dkt. 31).) The court referred the Motion for Summary Judgment to Magistrate Judge Ramon E. Reyes, Jr., for a Report and Recommendation ("R&R"). (Oct. 10, 2014, Order.) On June 17, 2015, Judge Reyes recommended that the court grant Plaintiffs' Motion for Summary Judgment (June 17, 2015, R&R (Dkt. 38)), which the court did on July 7, 2015 (July 7, 2015, Order (Dkt. 39)). On September 25, 2015, Plaintiffs moved for attorneys' fees. (Mot. for Attorneys' Fees (Dkt. 43).) The court referred the Motion for Attorneys' Fees to Judge Reyes for an R&R. (Oct. 8, 2015, Order (Dkt. 45).) On

April 15, 2016, Judge Reyes issued an R&R recommending that Plaintiffs be awarded \$21,311.12 in attorney's fees. (Apr. 15, 2016, R&R (Dkt. 47) at 4.)

No party has objected to Judge Reyes's R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). (See also R&R at 4 ("Any objections to the recommendations made in this Report must be filed with the Clerk of the Court and the Honorable Nicholas G. Garaufis within fourteen days of receipt hereof.")) Therefore, the court reviews the R&R for clear error. See Gesualdi v. Mack Excavation & Trailer Serv., Inc., No. 09-CV-2502 (KAM) (JO), 2010 WL 985294, at *1 (E.D.N.Y. Mar. 15, 2010); La Torres v. Walker, 216 F. Supp. 2d 157, 159 (S.D.N.Y. 2000); cf. 28 U.S.C. § 636(b)(1). The court has reviewed the well-reasoned R&R and found no errors; thus, the court ADOPTS the R&R in full.

SO ORDERED.

Dated: Brooklyn, New York
May 31, 2016

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge